

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Steven WEBER *et al.*

Serial No.: 10/553,488

Filed: October 17, 2005

For: PHOTOCURABLE ADHESIVE  
COMPOSITION AND ITS USE IN THE  
OPTICAL FIELD

Group Art Unit: Unknown

Examiner: Unknown

Atty. Dkt. No.: ESSR:098US

EXPRESS MAIL MAILING LABEL	
NUMBER	EV 603374184
DATE OF DEPOSIT	September 15, 2006

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

**MS PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Defective Response dated August 14, 2006 (the "Notification"), for which a response is due within the time remaining for response as set forth in the Notification of Missing Requirements dated June 9, 2006, enclosed herewith please find:

- (a) A copy of the Image File Wrapper for this application from the United States Patent and Trademark Office PAIR website, showing the submission of Applicants' "Response to Pre-Exam Formalities Notice" and "Oath or Declaration filed" on August 9, 2006, together with a copy Applicants' Response and the Declaration submitted to the Office by Express Mail on August 9, 2006, downloaded from PAIR (enclosed as Appendix A);

- (b) A copy of the \$130.00 check in payment of the surcharge submitted with Applicants' Response on August 9, 2006 (enclosed as Appendix B);
- (c) A copy of Applicants' return postcard submitted with the Response to Missing Requirements on August 9, 2006, date-stamped and returned by the Office (enclosed as Appendix C); and
- (d) A copy of Notification of Defective Response.

The Notification indicates that an oath or declaration of the inventors in compliance with 37 C.F.R. 1.497(a) and (b) and a \$130.00 surcharge for late submission of the oath or declaration must be furnished in order to complete the requirements for acceptance under 35 U.S.C. 371. However, as shown in Appendices A, B and C submitted herewith, the declaration and the surcharge were timely submitted on August 9, 2006, in response to the Notification of Missing Requirements dated June 9, 2006. As shown in Appendix B, the \$130.00 check submitted by Applicants on August 9, 2006, in payment of the surcharge, was deposited by the Office on August 14, 2006, and the check was paid by Frost National Bank on August 17, 2006.

In view of the above, Applicants believe that all items necessary to complete the requirements for acceptance under 35 U.S.C. 371 have been previously submitted and that the Notification of Defective Response was issued in error.

Further, Applicants do not believe that an extension of time under 37 C.F.R. 1.136(a) is required or that any additional fees are due. However, if the Commissioner determines otherwise, the Commission is authorized to consider this paragraph such a request for extension of time and is authorized to deduct the required extension fees, or any additional due fees under 37 C.F.R. §§ 1.16 to 1.21 for any reason relating to the enclosed materials, from Fulbright & Jaworski Deposit Account No.: 50-1212/ESSR:098US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Mark B. Wilson  
Reg. No. 37,259  
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: September 15, 2006

# TRANSMITTAL FORM

Application Number: 10/553,488  
 Filing Date: October 17, 2005  
 First Named Inventor: Steven WEBER  
 Art Unit: Unknown  
 Examiner Name: Unknown  
 Attorney Docket Number: ESSR:098US

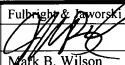
Total Number of Pages in this Submission : \_\_\_\_\_

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> References _____ <input type="checkbox"/> Foreign Search Report <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Reply to Notification of Defective Response <input checked="" type="checkbox"/> Reply to Notification of Defective Response <input type="checkbox"/> Declaration(s) _____ <input checked="" type="checkbox"/> Copy of Notification of Defective Response	<input type="checkbox"/> Drawings(s) _____ <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Statement under 37 CFR §3.73(b) <input type="checkbox"/> Designation of Patent Practitioners <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input type="checkbox"/> Check in the amount of \$ _____ <input type="checkbox"/> Authorized to be charged to deposit account Deposit account number: <u>50-1212/ESSR-098US</u> <input type="checkbox"/> Sequence Statement <input type="checkbox"/> Paper Copy of Sequence Listing <input type="checkbox"/> Computer Readable Form (CRF) <input checked="" type="checkbox"/> Postcard <input checked="" type="checkbox"/> Appendices A-C <input type="checkbox"/> _____
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Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Fulbright & Jaworski L.L.P.	Customer Number	32425
Signature			
Printed Name	Mark B. Wilson	Reg. No.	37,259
Date	September 15, 2006		

## EXPRESS MAIL MAILING LABEL

NUMBER EV 603374184 US

DATE OF DEPOSIT September 15, 2006

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